

FORM PTO-1390
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

WACHP002

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

Unknown 10/511688

INTERNATIONAL APPLICATION NO.
PCT/EP03/03803INTERNATIONAL FILING DATE
April 11, 2003PRIORITY DATE CLAIMED
April 15, 2002

TITLE OF INVENTION OPTIMIZATION OF COMPILER-GENERATED PROGRAM CODE

APPLICANT(S) FOR DO/EO/US Michael BALDISCHWEILER and Werner NESS

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included: 5

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

Other items: One (1) Sheet of Formal Drawings
Copy of International Search Report (4 pages)
Postcard Receipt
Check 12694 in the amount of \$920.00

U.S. APPLICATION NO. of International PCT Application
Unknown **11/511688**INTERNATIONAL APPLICATION NO.
PCT/EP03/03803ATTORNEY'S DOCKET NUMBER
WACHP002

21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY	
				\$ 920.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	20 - 20 =	00	x \$18.00	\$	
Independent claims	03 - 3 =	00	x \$86.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 920.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$ 920.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 920.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$ 920.00	
				Amount to be refunded:	\$
				charged:	\$

- a. ☒ A check in the amount of \$ 920.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 50-0805. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)
or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Rick von Wohld, Esq.
Martine & Penilla, LLP
710 Lakeway Drive, Suite 170
Sunnyvale, CA 94085
Tel: (408) 749-6900
Fax: (408) 749-6901
Customer Number 25,920


SIGNATURE

Rick von Wohld, Esq.

NAME

48,018

REGISTRATION NUMBER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

10/511688

Application No. : Unassigned
 Applicants: : Baldischweiler et al.
 Filed: :
 Title: : OPTIMIZATION OF COMPILER-
 GENERATED PROGRAM CODE

DT01 Rec'd PCT/PTC 14 OCT 2004

TC/A.U. : Unknown
 Examiner : Unassigned

Atty. Docket No. : WACHP002
 Date : October 14, 2004

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached herein are being deposited with the United States Postal Service on **October 14, 2004** in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number **EV607295031US**, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signed:

Neel J. Entwistle

TRANSMITTAL OF DOCUMENTS FOR FILING UNDER 35 U.S.C. § 371

Commissioner of Patents
 Alexandria, VA 22313-1450


Sir:

Applicants are hereby transmitting the following documents for the above-identified patent application:

- ☒ Transmittal Letter to the United States Designated/Elected Office (2 pages)
- ☒ English translation of International Application as filed (20 pages)
- ☒ One (1) sheet of Formal Drawings
- ☒ Copy of the International Search Report (4 pages)
- ☒ Check number 12694 in the amount of \$920.00
- ☒ Return receipt postcard

Applicants believe that no further fees are due in connection with the filing of the above-named documents. However, if it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-0805 (Order No. WACHP002).

Respectfully submitted,
 MARTINE & PENILLA, LLP


 Rick von Wohld, Esq.
 Reg. No. 48,018

710 Lakeway Drive, Suite 170
 Sunnyvale, CA 94085
 (408) 749-6900
 Customer No. 25920

Attorney Docket No. WACHP002